

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

vs.

Case Number: 1:12-cv-00257-JB-LFG

LARRY GOLDSTONE, CLARENCE G. SIMMONS,  
III, and JANE E. STARRETT,

Defendants.

**DEFENDANTS' FIRST SET OF REQUESTS FOR THE PRODUCTION OF  
DOCUMENTS TO PLAINTIFF SECURITIES AND EXCHANGE COMMISSION**

PROPOUNDING PARTIES: DEFENDANTS LARRY A. GOLDSTONE, CLARENCE G.  
SIMMONS, III and JANE E. STARRETT

RESPONDING PARTY: SECURITIES AND EXCHANGE COMMISSION

SET NO: ONE

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Defendants Larry A. Goldstone, Clarence G. Simmons, III and Jane E. Starrett (collectively, "Defendants") request that Plaintiff Securities and Exchange Commission (the "SEC" or "Plaintiff") produce the documents described below. Plaintiff shall make such production within thirty (30) days after service of these requests, at the offices of Wilmer Cutler Pickering Hale and Dorr LLP, 350 S. Grand Avenue, Suite 2100, Los Angeles, California 90071, or at such other time and place as may be mutually agreed upon by the parties.

EXHIBIT

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10. If YOU object to any part of any request, YOU shall state fully in writing the nature of the objection. Notwithstanding any objections, YOU shall nonetheless comply fully with the other parts of the request to which YOU are not objecting.

11. Each request for production shall be construed independently and not with reference to any other request for production for the purpose of limitation.

12. The use of the singular form of any word includes the plural and vice versa. The past tense shall include the present tense and vice versa.

13. If YOU do not understand any part of any request or the foregoing Definitions and Instructions, YOU should seek clarification from counsel for Mr. Goldstone and Mr. Simmons at WilmerHale.

#### **REQUESTS FOR PRODUCTION**

##### **Request No. 1**

For the period January 1, 2007 through May 31, 2009, all COMMUNICATIONS with third parties (INCLUDING any SELF-REGULATORY ORGANIZATION or ACCOUNTING AUTHORITY), all internal SEC DOCUMENTS or COMMUNICATIONS reflecting COMMUNICATIONS with third parties, and all public statements by the SEC, CONCERNING OTTI, SUBSEQUENT EVENTS, or GOING CONCERN EVALUATION. For the elimination of doubt, this Request INCLUDES COMMUNICATIONS with any ACCOUNTING AUTHORITY or SELF-REGULATORY ORGANIZATION CONCERNING the implementation of OTTI-related recommendations in the MARK-TO-MARKET REPORT and the need to revise existing OTTI guidance.

Response:

Request No. 8

All DOCUMENTS produced to the SEC by third parties in connection with the INQUIRY that have not been provided to DEFENDANTS as of the date of this Request.

Response:

Request No. 9

All transcripts, witness statements, or notes of interviews that YOU conducted as part of YOUR INQUIRY that have not been provided to DEFENDANTS as of the date of this Request.

Response:

Request No. 10

All DOCUMENTS received from the PCAOB or KPMG CONCERNING the PCAOB's INVESTIGATION of KPMG in connection with the 2007-2008 SERVICES, INCLUDING transcriptions or notes reflecting the contents of such DOCUMENTS.